

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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J&J SPORTS PRODUCTION, INC.

Plaintiff

Index#: 08-CV-2838-JSR

-against-

RINCON HAVANERO, INC.  
d/b/a RINCON HAVANERO RESTAURANT  
JOAQUIN RUBI

Defendant

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PLAINTIFF'S INITIAL DISCLOSURE

Pursuant to the requirement of Federal Rule of Civil Procedure 26(a)(1), J&J Sports Production, Inc. Plaintiff in the above-titled action, makes the following disclosures by and through its undersigned counsel:

1. Initial Disclosures

(A) The identity of each individual likely to have discoverable information relevant to disputed facts alleged with particularity in the Complaint is as follows:

(1) J&J Sports Production, Inc. c/o Thomas P. Riley, P.C., First Library Square, 1114 Fremont Avenue, South Pasadena, CA 91030-3227; having knowledge as to the unauthorized publication and use of the telecast of Erik Morales and Manny Pacquiao on March 19, 2005 at the Rincon Havanero Inc. d/b/a Rincon Havanero Restaurant.

(2) Rincon Havanero Inc. d/b/a Rincon Havanero Restaurant and Joaquin Rubi ("Defendant"), 463 East Tremont Avenue, Bronx, New York; with knowledge as to the information of the unauthorized publication and use of the telecast of Erik Morales and Manny Pacquiao on March 19, 2005 at the Rincon Havanero Inc. d/b/a Rincon Havanero Restaurant.

(B) All documents, date complications, and tangible things that are in possession, custody, or control of J&J Sports Productions, Inc., may use to support its claims and/or defenses include the following:

- (1) Copy of investigators report;
- (2) Responses to discovery;
- (3) Deposition testimony, if any;
- (4) any other relevant document not yet discovered by Plaintiff which would be relevant to Plaintiff's case.

The documents are located or will be located at the offices of Thomas P. Riley, PC, First Library Square, 1114 Fremont Avenue, South Pasadena, CA 91030-3227 and Paul J. Hooten & Associates, PLLC, 5505 Nesconset Hwy., Suite 203, Mt. Sinai, New York 11766/ There may be other documents that may be relevant that are not yet known which may be used to support the claims and/or defenses of J&J Sports Productions, Inc.

( C ) Damages to Plaintiff arising from the Defendant's authorized use of the telecast of Erik Morales and Manny Pacquiao on March 19, 2005 at the Rincon Havanero Inc. d/b/a Rincon Havanero Restaurant and attorney fees and costs.

(D) Fed.R.Civ. P. 26 (a)(1)(D) does not apply to this matter.

Date: May 12, 2008

Respectfully submitted,

/s/ Paul J. Hooten  
PAUL J. HOOTEN & ASSOCIATES  
ATTORNEY FOR PLAINTIFF  
5505 Nesconset Hwy., Suite 203  
Mt. Sinai, New York 11766  
(631) 331-0547

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### CERTIFICATE OF SERVICE

I certify that a copy of the plaintiff's initial disclosures pursuant to Federal Rules of Civil Procedure was sent to the following via U.S. Postal Service, postage prepaid, on May 13, 2008:

Rincon Havanero Inc.  
d/b/a Rincon Havanero Restaurant  
463 East Tremont Avenue  
Bronx, NY 10453

Joaquin Rubi  
463 East Tremont Avenue  
Bronx, NY 10453

Joaquin Rubi  
3003 Heath Avenue - Apt 3  
Bronx, NY 10463

May 13, 2008

./s/

Cheryl Lorefice

PAUL J. HOOTEN & ASSOCIATES  
ATTORNEY FOR PLAINTIFF

5505 Nesconset Hwy., Suite 203  
Mt. Sinai, New York 11766  
(631) 331-0547